

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TUNG VAN TRAN,

No. C 10-01223 CW (PR)

Plaintiff,

ORDER OF DISMISSAL WITHOUT
PREJUDICE

v.

DENNIS M. CARR, et al.,

Defendants.

Plaintiff, a state prisoner, filed the present pro se prisoner complaint under 42 U.S.C. § 1983. On the same day the action was filed the Clerk of the Court sent a notice to Plaintiff, informing him that his action could not go forward until he paid the filing fee or filed a completed prisoner's in forma pauperis application. The Clerk sent Plaintiff a blank in forma pauperis application and told him that he must pay the fee or return the completed application within thirty days or his action would be dismissed. More than thirty days have passed and Plaintiff has not paid the filing fee, returned the in forma pauperis application or otherwise communicated with the Court.

Accordingly, this action is DISMISSED WITHOUT PREJUDICE. The Clerk of the Court shall close the file.

IT IS SO ORDERED.

Dated: 5/5/10



CLAUDIA WILKEN

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

TUNG VAN TRAN,
Plaintiff,

Case Number: CV10-01223 CW

v.

CERTIFICATE OF SERVICE

DENNIS M CARR et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 5, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Tung V. Tran T-42650
Facility A, Bldg. #2-112
High Desert State Prison
P.O. Box 3030
Susanville, CA 96127

Dated: May 5, 2010

Richard W. Wieking, Clerk
By: Nikki Riley, Deputy Clerk

United States District Court
For the Northern District of California